IN THE HIGH COURT OF JUDICATURE AT BOMBAY

T AND I JURISDICTION

NOTICE OF MOTION NO. 433 OF 2004

IN

MISC. PETITION (L) NO. 92 OF 2004

The Administrator General of
Maharashtra State .....Petitioner
vs.
Dr. Ameen Piyush Shah ....Applicant

A L O N G W I T H

NOTICE OF MOTION NO. 618 OF 2004
IN
MISC. PETITION (L) NO. 92 OF 2004

The Administrator General of
Maharashtra State .....Petitioner
and
Reshma Estate P.Ltd and Ors. ....Applicant
VS
Dhimant Harilal Thakkar and Ors...Resps.

A L O N G W I T H

NOTICE OF MOTION NO. 632 OF 2004
IN
MISC. PETITION (L) NO. 92 OF 2004

The Administrator General of
Maharashtra State .....Petitioner
and
Tubeweld Engineering Works Ltd...Applicant
VS

Dr. Amee Piyush Shah ...Resps.

A L O N G W I T H

NOTICE OF MOTION NO. 1 OF 2005
IN
MISC. PETITION NO. 17 OF 2004

The Administrator General of
Maharashtra State .....Petitioner
and
Dr. Amee Piyush Shah ...Applicant

D. Sahu i/b. A.B. Patil for the petitioner.
U.J. Makhijah with B.G. Saraf for applicant in N/M no. 433 of 2004 and N/M 1 of 2005

K. Munshi for the applicant.

M. Ahemad and D.V. Singh i/b. M/s. Thakardas and Madgaonkar for the applicants in Ch/s. 618/04.

R. Jain for Respondent no.1/2 in Ch/s. 618 of 2004

None for the applicants in N/m. 632 of 2004.

CORAM: S.U. KAMDAR, J.

DATE : 21ST JULY, 2005.

P.C. :

1. Learned counsel for the applicant seeks leave to withdraw the motion. The issue as to whether

the present petition was maintainable and in view of the alleged gifts by the deceased in favour of the applicant the present petition is liable to be dismissed or not will he heard and determined at the hearing and final disposal of the petition.

2. By consent of the parties the following order is passed.

> Both the applicant as well as M. Ahemad are permitted to be added as party respondent to the present petition. The petitioner is directed to carry out necessary amendments within a period of two weeks from today. Applicant as well as M. Ahemad waives service of the petition.

2. In so far as Notice of Motion No. 618 of 2004 is concerned learned counsel for the petitioner seeks leave to withdraw the motion. Motion

dismissed as withdrawn. Refund of court fees, if any, as per rules.

3. In so far as Notice of Motion No. 632 of 2004 is concerned, advocate for the applicant is absent. Dismissed for non-prosecution.

4. In so far as Notice of Motion no.1 of 2005 is concerned, time to complete the evidence is extended upto 31.8.2005. Commissioner is directed to conclude the evidence on or before 1.8.2005 and continue the same on day to day basis. It is made clear that either of the parties for more than two opportunities. Commissioner will be at liberty to treat the evidence of the said witness has closed and proceed with the next witness.

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